

REMARKS/ARGUMENTS

Claims 1-7, 9-12 and 14-21 remain pending in the application, as claims 8 and 13 were previously canceled without prejudice. In the Office Action, claims 1, 6, 10, 14, 18 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,390,252 to Suzuki (Suzuki) in view of U.S. Patent No. 6,278,697 to Brody (Brody). Claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Brody and further in view of U.S. Patent No. 6,965,674 to Whelan, et al. (Whelan). Claims 2, 3, 9, 11, 12, 15, 19 and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Brody and further in view of Schneier, *Applied Cryptography* (Schneier). Claims 4, 5 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Brody in view of Schneier and further in view of the article by L-3 Communications. Finally, claim 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Brody and further in view of the FNBDT Signaling Plan and the L-3 Communications article.

Independent claim 1 has been amended to clarify that the second device is a multi-mode device. This claim has also been amended to clarify that the multi-mode device and the second multi-mode device communicate with one another using the first communication protocol over the first communication network and using the different communication protocol over the different communication network. Claims 11, 14 and 21 have been similarly amended. Support for the amendments can be found in paragraphs 0017 and 0020. No new matter has been added in view of these amendments.

As previously noted in an earlier response, Suzuki does not describe the first mode of communication in a first network and protocol and the second mode of communication in a different network and protocol. Suzuki merely contemplates switching between different channels, i.e., frequencies in the same communication network (see col. 5, lines 38-45), to which the Examiner has agreed (see page 3, lines 4-7 of the Non-Final Office Action of March 20, 2007).

Moreover, Applicants note that Brody describes conducting a communication between a first device operating on a first network using a first protocol and a second device operating on a second network using a second protocol (see col. 3, lines 20-57). This description is in direct contrast with the claimed subject matter of the present application. In fact, if the communication devices were able to conduct calls in which both devices used the same network and protocol for a first call and a second same network and protocol subsequently, then the protocol conversion of Brody, which is the heart of that invention (see col. 3, lines 53-57), would be completely inapplicable.

In view of the above, Applicant submits that the above claims are patentable over the prior art. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

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